UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES ALEXANDER,

               Plaintiff,   No. 06-CV-13537-DT

vs.   Hon. Gerald E. Rosen

CLARENCE POWELL, et al.,

               Defendants.
_____/

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING PLAINTIFF'S COMPLAINT

At a session of said Court, held in the
U.S. Courthouse, Detroit, Michigan
on ____February 27, 2008____

PRESENT: Honorable Gerald E. Rosen
                 United States District Judge

This Section 1983 prisoner civil rights matter having come before the Court on the

January 22, 2008 Report and Recommendation of United States Magistrate Judge R. Steven

Whalen recommending that the Court grant Defendants' motion for summary judgment and

that Plaintiff's Complaint be dismissed in its entirety; and Plaintiff having timely filed

objections to the Magistrate Judge's Report and Recommendation; and the Court having

reviewed the Magistrate Judge's Report and Recommendation, Plaintiff's Objections, and

the Court's entire file of this action, and having concluded that, for the reasons stated in the

Report and Recommendation, Defendants' motion should be granted and this case should,

accordingly be dismissed in its entirety; and the Court being otherwise fully advised in the

premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of January 22, 2008 [**Dkt. # 26**] be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendants' Motion for Summary Judgment [**Dkt. # 10**] be, and hereby is, GRANTED. Accordingly, Plaintiff's Complaint is DISMISSED in its entirety with prejudice.

Based on the foregoing, this Court certifies that any appeal by Plaintiff would be frivolous and not in good faith. 28 U.S.C. § 1915(a).

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: February 27, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 27, 2008, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager